

FILED

NOV 19 2010

LAWRENCE K. BAERMAN, CLERK
ALBANY

UNITED STATES DISTRICT COURT

for the

Northern District of New York

United States of America

v.

)

)

)

)

)

Case No. 110-MJ-052-RFT

VON SCOTT LINDAHL

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 17, 2010 in the county of Warren in the Northern District of New York, the defendant(s) violated:

Code Section

18 U.S.C. 922(g)(1)

Offense Description

Possession of a Firearm by Person Who Has Been Previously Convicted of a Felony, in that: on or about November 17, 2010, the defendant, Von Scott LINDAHL, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate and foreign commerce, a firearm, that is, a Puma / Rossi, model M92 serial # 357-464, .357 caliber rifle, which had been shipped and transported in interstate and foreign commerce, in violation of Title 18, United States Code, Sections 922(g)(1); 924(a).

This criminal complaint is based on these facts:

I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives, and I have been a law enforcement officer for thirty years and in federal service for twenty-five years.

An investigation of individuals unlawfully possessing firearms in the Northern District of New York conducted by the Warren County Sheriff's Office and ATF has led to evidence that defendant Von Scott LINDAHL, after having previously been convicted of a felony offense in New York State Supreme Court, Warren County, did on or about November 17, 2010, knowingly possess a Puma / Rossi, model M92, serial # 357-464, .357 caliber rifle, said firearm having been manufactured outside the State of New York.

A review of Von Scott LINDAHL's criminal history shows that on November 3, 2006, Von Scott LINDAHL was convicted in Warren County Supreme Court of Criminal Possession of a Weapon in the 3rd Degree (NYS Penal Law Section 265.02, a class D felony), a crime punishable by more than one year of incarceration.

On or about November 17, 2010, investigators from the Warren County Sheriff's Office conducted a search of LINDAHL's primary residence, which is located in Warren County. Seized from within the residence was a Puma / Rossi, model M92, serial # 357-464, .357 caliber rifle. LINDAHL was arrested by local investigators and made various statements. LINDAHL stated that the firearm belonged to LINDAHL. Investigators also spoke with the other occupants of the residence who said the firearm belonged to LINDAHL.

Your affiant has been informed by ATF Special Agent Jason Stocklas, an Interstate Nexus Expert, that the aforementioned firearm was not manufactured in New York State and has therefore traveled in interstate and/or foreign commerce.

Continued on the attached sheet.



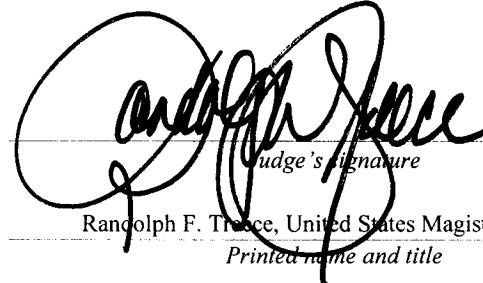
Complainant's signature

ATF Special Agent Francis J. Neeley
Printed name and title

Sworn to before me and signed in my presence.

Date: November 19, 2010

City and state: Albany, New York



Judge's signature

Randolph F. Trece, United States Magistrate Judge
Printed name and title